

## Nays—2

Moffett Sulak

Present—Not Voting

Brownlee

Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears
Hazlewood	

## Reason for Not Voting

I was recorded present—not voting on C. S. S. B. No. 255 because of a personal interest, which I disclosed.

BROWNLEE.

## Adjournment

Senator Moore moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed; and the Senate, accordingly, at 9:25 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

## FORTY-SEVENTH DAY

(Tuesday, April 6, 1943)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

## Leave of Absence Granted

Senator Bullock was granted leave of absence for today and the remainder of this week on account of illness, on motion of Senator Lovelady.

## Reports of Standing Committees

Senator Moffett submitted the following reports:

Austin, Texas,  
April 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. C. R. No. 66, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be not printed.

MOFFETT, Vice Chairman.

Austin, Texas,  
April 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. C. R. No. 36, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be not printed.

MOFFETT, Vice Chairman.

Austin, Texas,  
April 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred S. B. No. 320, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Vice Chairman.

Senator Brownlee submitted the following report:

Austin, Texas,  
April 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Contingent Expense, to whom was referred H. C. R. No. 54, have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

BROWNLEE, Chairman.

Senator Lanning submitted the following report:

April 5, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred H. B. No. 665, have had the same under consideration, and I am instructed to report it back to the Senate favorably with the recommendation that it do pass and be not printed.

LANNING Chairman.

#### Senate Bill 336 on First Reading

The following bill was introduced, as a local bill, read first time, and referred to the committee indicated:

By Senator Graves:

S. B. No. 336, A bill to be entitled "An Act to fix the maximum amount of bonds which may be issued by, and to fix the maximum rate of tax to be levied for school purposes in all independent school districts having a population of more than 200,000 and less than 260,000, according to the Federal Census of 1940 or any subsequent legally authorized census, whether under General or Special Law, repealing all laws in conflict herewith, both General and Special; and declaring an emergency."

To Committee on Counties.

#### Senate Bill 337 on First Reading

Senator Metcalfe moved that the rule prescribing limitations relative to the introduction of bills after the first 60 calendar days of the session be suspended, to permit the introduction of a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

#### Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Metcalfe:

S. B. No. 337, A bill to be entitled "An Act to amend Section 5 of Chapter 367, Acts of the Regular Session of the Forty-second Legislature, as amended by Section 2 of Chapter 10, Acts of the Regular Session of the Forty-sixth Legislature so as to change the time and length of the terms for holding court in the 119th District Court in the Counties of Coleman, Concho, Tom Green and Runnels constituting the 119th Judicial District of Texas; validating and continuing all process issued or served before this Act takes effect, including recognizances and bonds, and making them returnable to the next term of court in said counties and district, as herein fixed; validating the summoning of grand and petit juries under this Act; and declaring an emergency."

To Committee on Civil Jurisprudence.

#### Senate Bill 338 on First Reading

Senator Vick moved that the rule prescribing limitations relative to the introduction of bills after the first 60 calendar days of the session be suspended, to permit the introduction of a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

## Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

The following bill was then introduced, read first time, and referred to the committee indicated:

By Senator Vick:

S. B. No. 338, A bill to be entitled "An Act amending Article 2700.1, Acts of the Forty-seventh Legislature, 1941, pertaining to the salaries of elective county superintendents and to office and traveling expense; providing for salaries of county superintendents in counties having more than thirty-five hundred (3,500) scholastics and less than eight thousand and one (8,001) scholastics under certain conditions; providing for assistants to the county superintendent; providing for supervisors and their compensation; providing for the manner of payment of county administration expense; providing for budgets for the purpose; providing for administering the Act and repealing all General Laws in conflict herewith except such General Laws as provide for a part of the office expense to be paid out of the general revenue of the county; and declaring an emergency."

To Committee on Education.

## Senate Bill 339 on First Reading

Senator Winfield moved that the rule prescribing limitations relative to the introduction of bills after the first 60 calendar days of the session be suspended, to permit the introduction of a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

## Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

The following bill was then introduced, read first time, and referred to the committee indicated:

By Senator Winfield:

S. B. No. 339, A bill to be entitled "An Act authorizing cities in Texas to own electric properties lying outside the State and to issue negotiable revenue bonds for the purpose of acquiring such properties, authorizing such cities to enter into contracts for the sale of electricity outside the State; and declaring an emergency."

To Committee on Civil Jurisprudence.

## Senate Bill 340 on First Reading

Senator Aikin moved that the rule prescribing limitations relative to the introduction of bills after the first 60 calendar days of the session be suspended, to permit the introduction of a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

## Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senators Aikin and Shivers:

S. B. No. 340, A bill to be entitled "An Act to amend the subject matter embraced in Section 7, Chapter 482, General and Special Laws of the

Forty-fourth Legislature, Third Called Session, as amended, providing for determining the amount of contributions payable by employers and defining certain terms, and repealing Section 8-A with reference to seasonal employment as embodied in S. B. No. 21, Chapter 2, General Laws of the Forty-sixth Legislature, Regular Session of 1939 and repealing Section 8-A, Chapter 467, H. B. No. 875, Regular Session of the Forty-seventh Legislature, and providing for the effective date of the Act and for the repeal of all laws and parts of laws in conflict herewith; and declaring an emergency."

To Committee on State Affairs.

#### Senate Bill 341 on First Reading

Senator Aikin moved that the rule prescribing limitations relative to the introduction of bills after the first 60 calendar days of the session be suspended, to permit the introduction of a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Spears
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Shivers

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Aikin:

S. B. No. 341, A bill to be entitled "An Act amending Section 1 of Article 2827a relating to Available School Fund, Acts of 1931, Forty-second Legislature, providing for the amount to be set aside from the per capita apportionment for the county school administration expense fund in

each county in the State of Texas and repealing all laws in conflict therewith; and declaring an emergency."

To Committee on Education.

#### Communication from Presiding Judge of Court of Criminal Appeals

The President laid before the Senate the following communications, which were read and referred to the Committee on Nominations of the Governor:

(1)

April 5, 1943.

The Texas State Senate  
Austin, Texas

Gentlemen: It is with much disappointment and some embarrassment that I convey the information to your honorable body that Mr. Claude Isbell, recently nominated by me to be a member of the Board of Pardons and Paroles, and approved by you, has advised me that he will not qualify for the place. I am transmitting herewith a copy of his letter to me to the effect stated.

I now suggest for your consideration Mr. Abner L. Lewis of Houston, Texas, for a place on the Board of Pardons and Paroles, and request your advise and approval of his appointment.

Yours very respectfully,

F. L. HAWKINS,  
Presiding Judge  
Court of Criminal  
Appeals of Texas.

(2)

March 18, 1943.

Honorable F. L. Hawkins  
Presiding Judge  
Court of Criminal Appeals  
Austin, Texas

Dear Judge: I want to express to you my deepest appreciation of the confidence you had in my integrity and ability by naming me to a place on the Board of Pardons and Paroles; however, due to circumstances I am compelled to decline the appointment and herewith most respectfully tender you my declination.

Yours very truly,

CLAUDE ISBELL.

### Report of Conference Committee on Senate Bill 24

Senator Lovelady moved that the Senate re-adopt the report of the Conference Committee on S. B. No. 24 as heretofore submitted and adopted by the Senate on March 9, 1943.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

### Senate Bill 230 Set as Special Order

Senator Morris moved that S. B. No. 230 be set as a special order for tomorrow immediately after conclusion of the morning call.

The motion prevailed unanimously.

### House Concurrent Resolution 90

On motion of Senator Vick, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 90, Recalling H. B. No. 10 from the Governor for correction.

The President laid the resolution before the Senate, and it was read and was adopted.

### House Concurrent Resolution 81

On motion of Senator Aikin, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 81, Inviting the Hon. Robert S. Kerr, Governor of Oklahoma, to address a joint session of the Legislature.

The President laid the resolution before the Senate, it was read second time and was adopted.

### House Concurrent Resolution 83

On motion of Senator Brownlee, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 83, Commending men and women who served without pay on local draft boards and local rationing boards.

The President laid the resolution before the Senate, and it was read and was adopted.

### House Concurrent Resolution 85

On motion of Senator Brownlee, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 85, Expressing sympathy with victims of Nazi persecutions.

The President laid the resolution before the Senate, and it was read and was adopted.

### Message from the Governor

The following message was received, read to the Senate, and referred to the Committee on Nominations of the Governor:

Austin, Texas,  
April 6, 1943.

To the Senate of the Forty-eighth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be District Attorney of the Seventh Judicial District to fill the unexpired term of Honorable Eugene Talbert, resigned:

Ernest S. Goens of Tyler, Smith County.

Respectfully submitted,  
COKE R. STEVENSON,  
Governor of Texas.

### Senate Concurrent Resolution 41

Senator Moore offered the following resolution:

S. C. R. No. 41, Fixing hour of adjournment sine die.

Be It Resolved by the Senate of Texas, the House of Representatives concurring:

The Regular Session of the Forty-eighth Legislature shall stand ad-

journe'd sine die at 12:00 o'clock noon on Tuesday, May 11, 1943.

MOORE,  
SHIVERS.

The resolution was read and was adopted.

#### Record of Vote

Senator Vick asked to be recorded as voting "nay" on the resolution.

#### Senate Bill 284

Senator Martin moved that S. B. No. 284 be set as special order for Monday, April 12, immediately after conclusion of the morning call on that day.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

#### Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

#### Report of Standing Committee

Senator Stone, by unanimous consent, submitted at this time the following report:

Committee Room,  
Austin, Texas,  
April 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred S. B. No. 63, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but the Committee substitute attached hereto do pass and be not printed.

STONE, Chairman.

(President pro tempore Mauritz in the Chair.)

#### Senate Bill 330 on Second Reading

On motion of Senator Lanning, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 330, A bill to be entitled "An Act making appropriations for the support, maintenance and improvement of the eleemosynary and reformatory institutions of the State of Texas for the two-year period beginning September 1, 1943 and ending August 31, 1945; and prescribing certain regulations and restrictions in respect to the expenditure of said appropriation; and declaring an emergency."

The President pro tempore laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

On motion of Senator Lanning, and by unanimous consent, the totals in the recapitulation were ordered corrected.

The bill was passed to engrossment.

#### Resolution Signed

The President pro tempore signed, in the presence of the Senate, after giving due notice thereof, the following resolution:

S. C. R. No. 40, Inviting the Hon. Sam Rayburn to address a joint session of the two Houses of the Legislature at a convenient time.

#### Senate Bill 330 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 330 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

## Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

(President in the Chair.)

## Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
April 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolutions:

H. C. R. No. 88, Relative to the use of the Hall of the House of Representatives for meeting of citizens and taxpayers.

H. B. No. 301, A bill to be entitled "An Act amending Article 3112, Title 50, Chapter 13, Revised Civil Statutes of Texas, 1925, so as to fix the final filing date of all those running for State offices, on the first Monday in June preceding the general primary; etc.; and declaring an emergency."

H. C. R. No. 46, Requesting Congress of the United States to pass Legislation to establish a Pharmacy Corps within the Army.

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives.

## Reports of Standing Committees

Senator Weinert, by unanimous consent, submitted at this time the following reports:

Austin, Texas,  
April 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred S. B. No. 337, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,  
April 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred S. B. No. 339, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

## Senate Bill 333 on Second Reading

On motion of Senator Lanning, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 333, A bill to be entitled "An Act fixing appropriations for educational institutions of higher learning, and declaring the policy thereof; prescribing certain rules and regulations to be followed in determining said appropriations; requiring audits; making appropriations for the support, maintenance, buildings, and improvements of the several State institutions of higher learning for the two fiscal years, beginning September 1, 1943, and ending August 31, 1945, both dates inclusive; and for certain other educational agencies of the State; prescribing certain restrictions concerning the expenditures of said appropriations; containing a saving clause; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

On motion of Senator Moffett, the Senate at 10:55 o'clock a. m., stood at ease subject to the call of the Chair.

The President called the Senate to order at 10:57 o'clock a. m.

Senator Moore offered the following amendment to the bill:

Amend S. B. No. 333 by striking out all items providing for or which can be used for publicity agents, public relation men, by whatever name called, together with all their employees assistants and items of expense in connection therewith.

MOORE,  
AIKIN,  
COTTEN.

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend S. B. No. 333 by adding after the word "athletics" in item 68, page 157 the following word "men" and adding after the word "professor" in item 71, page 157 the following:

"and director women's department."

The amendment was adopted.

Senator Moore offered the following amendment to the bill:

Amend S. B. No. 333 by adding a new Section as follows:

"For the duration of the National emergency, all appropriations in this Act are made subject to allocation by a committee composed of the Governor, the State Auditor, and Chairman of the Board of Control—and no money may be spent from this appropriation until it has been so allocated."

The amendment was adopted.

(Senator Brownlee in the Chair.)

Senator Hazlewood offered the following amendment to the bill:

Amend S. B. No. 333, page 172 thereof, item number 29, by striking out the words and figures "twelve (12)," and inserting in lieu thereof the word and figure "nine (9)."

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend S. B. No. 333 by adding the following at the end of page 176:

"The salaries herein fixed shall not be supplemented from any source."

(President in the Chair.)

The amendment was lost by the following vote:

Yeas—11

Aikin	Lanning
Beck	Mauritz
Chadick	Moore
Cotten	Ramsey
Graves	Sulak
Jones	

Nays—14

Brownlee	Morris
Hazlewood	Shivers
Lane	Stone
Lovelady	Vick
Martin	Weinert
Metcalfe	Winfield
Moffett	York

Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

The bill was passed to engrossment.

Senate Bill 333 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 333 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—23

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Chadick	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Nays—2

Cotten	Sulak
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Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears



**Bills and Resolution Signed**

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bill and resolution:

H. C. R. No. 78, Instructing the Enrolling Clerk to make certain changes in the caption of H. B. No. 109.

H. B. No. 194, A bill to be entitled "An Act authorizing any Independent School District containing all or more than one-half in area of a city of over one hundred thousand (100,000) population, to issue refunding bonds to provide funds to pay and cancel outstanding tax anticipation notes or certificates of indebtedness as herein defined and subject to limitations herein prescribed, and to levy a tax sufficient to pay such bonds and the interest thereon; etc.; and declaring an emergency."

**Recess**

Senator Brownlee moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Senator Weinert moved that the Senate recess to 2:00 o'clock p. m. today.

Question first recurring on the motion of Senator Brownlee, yeas and nays were demanded.

The motion was lost by the following vote:

**Yeas—4**

Brownlee	Lane
Cotten	Martin

**Nays—21**

Aikin	Moore
Beck	Morris
Chadick	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lanning	Vick
Lovelady	Weinert
Mauritz	Winfield
Metcalf	York
Moffett	

**Absent—Excused**

Bullock	Kelley
Fain	Lemens
Formby	Spears

Question next recurring on the motion of Senator Weinert, it prevailed.

The Senate, accordingly, at 12:10 o'clock p. m. took recess to 2:00 o'clock p. m. today.

**Afternoon Session**

The Senate met at 2:00 o'clock p. m. and was called to order by the President.

**Senate Bill 188 on Second Reading**

On motion of Senator Ramsey, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 188, A bill to be entitled "An Act authorizing the transfer of the title to 20  $\frac{3}{10}$  acres of land, more or less, from the Rusk State Hospital to the Texas State Railroad with full authority to lease or dispose of it as plant sites for industries located on said railroad by its board of managers, or manager, that said railroad does not own land on its right of way suitable for plant sites to its great loss in revenue; providing for an easement across the property described in this Act where the Texas sewer lines cross the same; and providing that the Rusk State Hospital be allowed six months from the date of transfer in which to remove and/or sell the timber now located on the tract of land described herein; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was passed to engrossment by the following vote:

**Yeas—19**

Aikin	Moffett
Brownlee	Moore
Graves	Morris
Hazlewood	Ramsey
Jones	Stone
Lane	Sulak
Lanning	Weinert
Lovelady	Winfield
Mauritz	York
Metcalf	

**Nays—1**

Chadick

**Present—Not Voting**

Vick

## Absent

Beck	Martin
Cotten	Shivers

## Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

## Senate Bill 188 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 188 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

## Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

The President then laid the bill before the Senate on its third reading and final passage.

Senator Chadick offered the following amendment to the bill:

Amend S. B. No. 188 by adding a new Section to read as follows:

"In the event any of the lands mentioned shall be sold or transferred to any person or corporation other than a State agency—the title to all mineral interest and to said lands shall be returned to the State of Texas."

The amendment was adopted by the following vote:

Yeas—25

Aikin	Graves
Beck	Hazlewood
Brownlee	Jones
Chadick	Lane
Cotten	Lanning

Lovelady	Shivers
Martin	Stone
Mauritz	Sulak
Metcalf	Vick
Moffett	Weinert
Moore	Winfield
Morris	York
Ramsey	

## Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

The bill then was passed.

## Senate Bill 333

Senator Aikin moved to reconsider the vote by which S. B. No. 333 (the educational appropriation bill) was passed today.

Senator Morris moved to table the motion to reconsider.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—9

Chadick	Ramsey
Lane	Stone
Martin	Weinert
Metcalf	Winfield
Morris	

Nays—15

Aikin	Lovelady
Beck	Mauritz
Brownlee	Moffett
Cotten	Moore
Graves	Sulak
Hazlewood	Vick
Jones	York
Lanning	

## Absent

Shivers

## Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

The motion to reconsider prevailed by the following vote:

Yeas—15

Aikin	Hazlewood
Beck	Jones
Brownlee	Lanning
Cotten	Lovelady
Graves	Mauritz

Moffett  
Moore  
Sulak

Vick  
York

Nays—9

Chadick  
Lane  
Martin  
Metcalf  
Morris

Ramsey  
Stone  
Weinert  
Winfield

Absent

Shivers

Absent—Excused

Bullock  
Fain  
Formby

Kelley  
Lemens  
Spears

Senator Aikin moved to reconsider the vote by which the bill was on today passed to engrossment.

The motion to reconsider prevailed by the following vote:

Yeas—17

Aikin  
Beck  
Brownlee  
Cotten  
Graves  
Hazlewood  
Jones  
Lanning  
Lovelady

Martin  
Mauritz  
Moffett  
Moore  
Ramsey  
Sulak  
Vick  
York

Nays—7

Chadick  
Lane  
Metcalf  
Morris

Stone  
Weinert  
Winfield

Absent

Shivers

Absent—Excused

Bullock  
Fain  
Formby

Kelley  
Lemens  
Spears

Senate Bill 333 on Passage to  
Engrossment

The President then laid the bill before the Senate on its passage to engrossment.

Senator Aikin offered the following amendment to the bill:

Amend S. B. No. 333 by adding the following at the end of page 176:

"It is hereby declared to be the intention of the Legislature that this

bill shall reflect the true and full amount of salaries paid any instructor, professor, employee or executive."

Senator Morris offered the following amendment to the amendment:

Amend the Aikin amendment by adding the following:

"Provided that the present salary schedule of the present biennium shall be maintained."

The amendment to the amendment was adopted.

The amendment as amended was adopted by the following vote:

Yeas—20

Aikin  
Beck  
Chadick  
Cotten  
Graves  
Hazlewood  
Jones  
Lanning  
Lovelady  
Martin

Mauritz  
Metcalf  
Moffett  
Moore  
Morris  
Ramsey  
Shivers  
Sulak  
Vick  
York

Nays—5

Brownlee  
Lane  
Stone

Weinert  
Winfield

Absent—Excused

Bullock  
Fain  
Formby

Kelley  
Lemens  
Spears

The bill was passed to engrossment.

Senate Bill 333 on Third Reading and  
Final Passage

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 333 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin  
Beck  
Brownlee  
Chadick  
Cotten  
Graves  
Hazlewood  
Jones  
Lane  
Lanning

Lovelady  
Martin  
Mauritz  
Metcalf  
Moffett  
Moore  
Morris  
Ramsey  
Shivers  
Stone

Sulak  
Vick  
Weinert

Winfield  
York

Absent—Excused

Bullock  
Fain  
Formby

Kelley  
Lemens  
Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Reports of Standing Committees

Senator Lovelady, by unanimous consent, submitted at this time the following report:

Austin, Texas,  
April 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred H. B. No. 426, have had the same under consideration, and I am instructed to report it back to the Senate favorably with the recommendation that it do pass and be printed.

LOVELADY, Chairman.

Senator Stone, by unanimous consent, submitted at this time the following report:

Austin, Texas,  
April 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Penitentiaries to whom was referred S. B. No. 239, have had the same under consideration, and I desire to report same back to the Senate with the recommendation that it do pass and be printed.

STONE, Vice Chairman.

Senator Graves, by unanimous consent, submitted at this time the following reports:

Austin, Texas,  
April 6, 1943

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries to whom was referred H. B. No. 120, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

GRAVES, Chairman.

Austin, Texas,  
April 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Counties to whom was referred H. B. No. 603, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

GRAVES, Chairman.

#### Senate Resolution 69

Senator Shivers, by unanimous consent, offered at this time the following resolution:

Whereas, The Honorable Tom Holbrook, a former Member of this body, and affectionately known as the "Senior Shrimper" is in the gallery; now, therefore, be it

Resolved by the Senate, That he be invited to address the Senate and that he have the privileges of the floor for the day.

SHIVERS,  
MOORE.

The resolution was read; and on motion of Senator Shivers and by unanimous consent, it was considered immediately.

The resolution was adopted.

Accordingly, the President appointed Senators Shivers, Moore, and Weinert to escort Honorable Tom Holbrook to the Senate Chamber.

#### House Bill on First Reading

The following House bill, received from the House today, was laid before the Senate, read first time, and referred to the committee indicated:

H. B. No. 1, to Committee on Finance.

#### Senate Bill 332 on Second Reading

On motion of Senator Lanning, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. B. No. 332, A bill to be entitled "An Act making appropriations for the support and maintenance of the executive and administrative departments and agencies of the State government for the two-year period beginning September 1, 1943 and end-

ing August 31, 1945; and for payment of other specified claims and items; and declaring an emergency."

The President pro tempore laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time.

Senator Morris offered the following amendment to the bill:

Amend S. B. No. 332, page 3, by adding a new item to be known as 76a and to read as follows:

"Assistant State Service Officer .....\$1,800.00 \$1,800.00:"  
MORRIS,  
MOFFETT.

The amendment was adopted.

Senator Lanning offered the following amendment to the bill:

Amend S. B. No. 332 by substituting the following for the Adjutant General's Department down to line 7, page 3:

REQUESTED BUDGET FOR ADJUTANT GENERAL'S DEPARTMENT  
FOR FISCAL YEARS ENDING  
AUGUST 31, 1944, AND AUGUST 31, 1945

Main Office, Austin, Texas Defense Guard and Texas National Guard

	Salaries	For Years Ending	
		Aug. 31, 1944	Aug. 31, 1945
1. Adjutant General .....	\$	4,200.00	\$ 4,200.00
2. Assistant Adjutant General.....		4,000.00	4,000.00
3. Finance Officer .....		2,400.00	2,400.00
4. Assistant Finance Clerk.....		1,500.00	1,500.00
5. Secretary to Adjutant General.....		1,500.00	1,500.00
6. Secretary to Assistant Adjutant General....		1,500.00	1,500.00
7. Form room Clerk.....		1,500.00	1,500.00
8. Mail Clerk—Mimeographer .....		1,350.00	1,350.00
9. Filing Clerk .....		1,200.00	1,200.00
10. Custodian of Files.....		975.00	975.00
11. Porter and Armorer.....		840.00	840.00
Personnel and Records Sections			
12. Assistant Chief of Staff, G-1.....		3,500.00	3,500.00
13. Secretary to G-1.....		1,500.00	1,500.00
Texas Defense Guard Personnel Section			
14. Personnel Adjutant .....		2,400.00	2,400.00
15. Chief Clerk .....		1,500.00	1,500.00
16. Special order Clerk.....		1,350.00	1,350.00
17. Stenographer .....		1,350.00	1,350.00
18. Stenographer .....		1,350.00	1,350.00
19. Stenographer .....		1,350.00	1,350.00
20. Record Clerk .....		1,260.00	1,260.00
21. Record Clerk .....		1,200.00	1,200.00
22. Typist .....		1,200.00	1,200.00
Texas National Guard Records Section			
23. Chief Record Clerk.....		1,800.00	1,800.00
24. General Order Clerk.....		1,500.00	1,500.00
25. Special Order Clerk.....		1,350.00	1,350.00
26. Stenographer-Clerk .....		1,350.00	1,350.00
27. Stenographer-Clerk .....		1,350.00	1,350.00
28. Stenographer .....		1,350.00	1,350.00
Texas Defense Guard Training, Operations and Communications Section			
29. Assistant Chief of Staff, G-3.....		3,500.00	3,500.00
30. Assistant G-3 .....		2,400.00	2,400.00
31. Secretary to G-3.....		1,500.00	1,500.00
32. Stenographer .....		1,350.00	1,350.00
33. Stenographer .....		1,350.00	1,350.00
34. Typist-Clerk .....		1,350.00	1,350.00

Salaries		For Years Ending	
		Aug. 31, 1944	Aug. 31, 1945
Inspector General's Section			
35.	Inspector-General .....	3,500.00	3,500.00
36.	Inspector-Instructor .....	3,000.00	3,000.00
37.	Inspector-Instructor .....	3,000.00	3,000.00
38.	Inspector-Instructor .....	3,000.00	3,000.00
39.	Inspector-Instructor .....	3,000.00	3,000.00
40.	Secretary to Inspector General.....	1,500.00	1,500.00
Property, Procurement and Maintenance Sections			
41.	Assistant Chief of Staff, G-4.....	3,500.00	3,500.00
42.	Secretary to G-4.....	1,500.00	1,500.00
National Guard Property Section			
43.	Property Auditor .....	2,000.00	2,000.00
Texas Defense Guard Property Section			
44.	Arsenal Officer .....	1,800.00	1,800.00
45.	Property Loan Officer.....	1,800.00	1,800.00
46.	Stock Records Officer.....	1,800.00	1,800.00
47.	Shipping Clerk .....	1,500.00	1,500.00
48.	Stenographer .....	1,350.00	1,350.00
49.	Stenographer .....	1,350.00	1,350.00
50.	Record Clerk-Typist .....	1,260.00	1,260.00
51.	Typist .....	1,200.00	1,200.00
52.	Laborer and Trucker.....	840.00	840.00
53.	Laborer and Trucker.....	840.00	840.00
54.	Laborer and Trucker.....	840.00	840.00
55.	Laborer and Trucker.....	840.00	840.00
Camp Mabry Maintenance and Overhead			
56.	Post Maintenance Man .....	1,800.00	1,800.00
57.	Utilities Maintenance Man.....	1,800.00	1,800.00
58.	Head Motor Mechanic.....	2,000.00	2,000.00
59.	Assistant Motor Mechanic.....	1,500.00	1,500.00
60.	Carpenter-Painter .....	1,500.00	1,500.00
61.	Grounds Keeper .....	1,640.00	1,640.00
62.	Chief Guard .....	1,200.00	1,200.00
63.	Mounted Guard, to furnish own horse.....	1,080.00	1,080.00
64.	Night Watchman .....	900.00	900.00
65.	Night Watchman .....	900.00	900.00
66.	Laborer and Porter.....	840.00	840.00
67.	Laborer and Porter.....	840.00	840.00
68.	Laborer and Porter.....	840.00	840.00
Camp Wolters, Mineral Wells			
69.	Officer in Charge.....	1,500.00	1,500.00
Total Salaries.....		\$ 116,835.00	\$ 116,835.00
Maintenance and Miscellaneous			
70.	Replacement of or payment for lost or unserviceable property .....	\$ 2,000.00	\$ 2,000.00
71.	Rifle team fees, equipment, travel and National Guard Association dues.....	.....	.....
72.	Martial law or emergency use of troops, nontransferable .....	3,000.00	3,000.00
73.	Ice, fuel, rent on maneuvers and miscellaneous expenses of operating camps, and including utilities, auto expense, repairs and replacements, and extra help, Camps Mabry, Hulen and Wolters, and other camps	12,000.00	12,000.00

	Salaries	For Years Ending	
		Aug. 31, 1944	Aug. 31, 1945
74. Office supplies, printing, stationery, telephone, telegraph and postage.....		10,000.00	10,000.00
75. For transportation, shelter, subsistence and all other expenses in organizing and maintaining schools of instruction for enlisted men and officers, either or both.....			9,000.00
76. Procurement and distribution of munitions and other military supplies intended for use by Texas Defense Guard, including the cost thereof, if any.....		10,000.00	10,000.00
77. General maintenance, traveling expenses, bond premiums, laundering and reconditioning of property intended for or in the hands of troops, distribution of such property including transportation thereof, medical and hospital services for troops sick or injured in line of duty, extra help, and other necessary expenses.....		50,000.00	50,000.00
Total Maintenance and Miscellaneous....	\$	87,000.00	\$ 96,000.00
Total Main Office.....	\$	203,835.00	\$ 212,835.00

LANNING,  
AIKIN.

The amendment was adopted.

Senator Weinert offered the following amendment to the bill:

Amend S. B. No. 332 by inserting the following on page 90 of the printed bill between lines 29 and 30 on said page:

"29a. Assistant

Director .....\$4,000.00 \$4,000.00."

Yeas and nays were demanded, and the amendment was adopted by the following vote:

Yeas—14

Brownlee	Ramsey
Chadick	Shivers
Jones	Stone
Lovelady	Vick
Moffett	Weinert
Moore	Winfield
Morris	York

Nays—11

Aikin	Lanning
Beck	Martin
Cotten	Mauritz
Graves	Metcalfe
Hazlewood	Sulak
Lane	

Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

Senator Chadick offered the following amendment to the bill:

Amend S. B. No. 332 adding on line 39, page 89 the following:

"The sum of money set out as salaries for employees of the State Department of Public Welfare shall not exceed the maximum stated herein for that purpose and in the event said salaries are supplemented or increased from any source the amounts herein appropriated shall be decreased by any amount supplemented thereto or derived from any other source."

The amendment was adopted.

Senator Lovelady offered the following amendment to the bill:

Amend S. B. No. 332, page 98, line 43 of the printed copy by striking out the figures "\$2,500.00" where they appear and insert in lieu thereof the following: "\$3,200.00."

The amendment was adopted by the following vote:

Yeas—12

Brownlee	Moffett
Hazlewood	Morris
Jones	Shivers
Lane	Vick
Lovelady	Weinert
Martin	York

Salaries	For Years Ending	
	Aug. 31, 1944	Aug. 31, 1945
"1. Board Members, per diem.....	\$ 2,500.00	\$ 2,500.00
2. Secretary-Director .....	4,200.00	4,200.00
3. Administrative Assistant .....	2,400.00	2,400.00
4. Bookkeeper and Stenographer.....	1,500.00	1,500.00
5. Clerks—Seasonal .....	600.00	600.00
Total Salaries.....	\$ 11,200.00	\$ 11,200.00"
And change grand totals to conform.		

	"For the Year Ending	
	Aug. 31, 1943	Aug. 31, 1944
"Item—For preparing, filing and prosecuting evidence before the Interstate Commerce Commission, or any other agency having jurisdiction for the purpose of equating the level of all interstate rates to, from and between all points in the State of Texas with those of the central or official zone, and to be expended as needed for the preparation and printing of evidence, briefs and exhibits; for traveling expenses and other incidental expenses or supplies and for employment of such traffic counsel and rate practitioners as may be necessary .....	\$ 15,000.00	\$ 15,000.00"

Senator Lanning moved to table the amendment.		Martin	Stone
Yeas and nays were demanded, and the motion to table prevailed by the following vote:		Mauritz	Vick
Yeas—17		Moore	Weinert
Aikin	Jones	Morris	Winfield
Cotten	Lanning	Ramsey	York
Graves	Lovelady	Shivers	
		Nays—7	
		Beck	Chadick
		Brownlee	Hazlewood



Lane  
Metcalf

Moffett

Absent

Sulak

Absent—Excused

Bullock

Kelley

Fain

Lemens

Formby

Spears

Senator Metcalfe offered the following amendment to the bill:

Amend S. B. No. 332, by adding on line 56, page 103, the following:

"It is provided that any legal services needed by any State Department provided for in this Act shall be supplied from the personnel of the Attorney General's Department and appointed by him."

The amendment was adopted.

(President pro tempore Mauritz in the Chair.)

Senator Hazlewood offered the following amendment to the bill:

Amend S. B. No. 332, page 3, under the appropriation for the Adjutant General's Department the following item:

"69A. Stenographer  
.....\$1,350.00 \$1,350.00."

HAZLEWOOD,  
MOFFETT.

The amendment was adopted.

Senator Brownlee offered the following amendment to the bill:

Amend S. B. No. 332 by adding thereto all the proper riders in their proper places as shown in S. B. No. 423 by Aikin in the Forty-seventh Legislature which was introduced April 9, 1941."

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend S. B. No. 332 by adding the following at the end of line 14, page 83:

"The Drivers License Division and Highway Patrol Division shall be placed under the same supervision and shall be combined under one department head."

The amendment was adopted.

The bill then was passed to engrossment.

### Senate Bill 332 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 332 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Chadick	Morris
Cotten	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Bullock	Kelley
Fain	Lemens
Formby	Spears

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

### Report of Standing Committee

Senator Metcalfe, by unanimous consent, submitted at this time the following report:

Austin, Texas,  
April 6, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising to whom was referred H. B. No. 150, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

METCALFE, Chairman.

(President in the Chair.)

### Conference Committee on Senate Bill 124

Senator Moore called S. B. No. 124 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Moore moved that the Senate do not concur in the House amendments and that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate:

Senators Moore, Shivers, Ramsey, Chadick, and Morris.

#### **Bill and Resolutions Signed**

The President signed, in the presence of the Senate, after giving due notice thereof, the following enrolled bill and resolutions:

H. C. R. No. 81, Inviting the Hon. Robert S. Kerr, Governor of Oklahoma, to address a joint session of the Legislature.

H. C. R. No. 90, Requesting that H. B. No. 10 be returned for further consideration and correction.

H. B. No. 109, A bill to be entitled "An Act amending Article 1939 of the Revised Civil Statutes of Texas 1925, providing for the registering of the official discharge of the members of the Armed Forces of the United States of America and Armed Force Reserve of the United States of America and of Auxiliary Units of the Armed Forces and Armed Force Reserve of the United States of America; providing the method and place of recording, providing that the county clerk shall do the recording; providing that no charge shall be made for recording; etc.; and declaring an emergency."

#### **Adjournment**

Senator Weinert moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed; and the Senate, accordingly, at 4:10 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

**In Memory of**  
**Honorable Charles C. Huff**

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Senator Winfield offered the following resolution:

(Senate Resolution 68)

Whereas, On Sunday, the 28th day of March, A. D. 1943, the Honorable Charles C. Huff of Dallas, Texas, was called to rest from his earthly labors; and

Whereas, The passing of the Honorable Charles C. Huff, who was born July 29, 1875, in Bell Buckle, Tennessee, the son of the Reverend William Huff and Mrs. Martha E. Huff, has brought to a close a life of useful and distinguished service; and

Whereas, Mr. Huff was a member of the East Dallas Christian Church, a Thirty-second Degree Scottish Rite Mason, a member of the American Bar Association, Texas State Bar and the Dallas Bar Association; and

Whereas, Mr. Huff married Miss Mary Encell Mendel of Taylor in 1900, who, together with a daughter, Mrs. Roger Harris of Dallas, survive him; and

Whereas, The Honorable Charles C. Huff, being personally known by many citizens of this State and by many Members of the Texas Legislature, has left behind him throughout the State and the Nation innumerable friends who tenderly and affectionately remember him and who mourn his passing; and

Whereas, It is the desire of the Senate to pay tribute to the memory of this noble Texan, and to extend sympathy and regard to his family; now, therefore, be it

Resolved, That the Senate of Texas, acknowledge the passing of our friend, the Honorable Charles C. Huff, by having a copy of this resolution spread upon the pages of the Senate Journal today, as an expression of the love and esteem in which he was held; and be it further

Resolved, That the Secretary of the Senate be instructed to send to the family of the deceased a copy of this resolution, under his seal, and that when the Senate adjourns today, it do so in silent tribute to Charles C. Huff, whose name and memory shall always abide.

WINFIELD,  
VICK,  
GRAVES.

The resolution was read and was adopted unanimously.